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Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Letter dated 21 June 2001 from the Permanent Representative of Algeria to the United Nations addressed to the Secretary-General*

Following the issuance, on 20 June 2001, of the report of the Secretary-General on the situation concerning Western Sahara (S/2001/613), I have the honour, on the instructions of my Government, to transmit to you the following comments:

1. Departing from its role of neutrality and objectivity in the description of the facts and the presentation of the arguments, the Secretariat has deliberately set out to prove, even if it means twisting facts and truncating arguments, that the settlement plan which has been accepted by the parties to the conflict and enjoys the unanimous support of the international community is not workable; and to reject in an unacceptably casual way, although it clearly does not have the right to do so, nor does it exactly correspond to its role, the constructive proposals which one of the parties to the conflict, the Polisario, submitted to the Personal Envoy of the Secretary-General, specifically with the objective of overcoming the obstacles in the way of the implementation of the plan.

2. Similarly, the Secretariat has taken it upon itself to champion an autonomy plan, the author of which is not revealed in the report; it is quite clear, however, that the Secretariat unconditionally supports that author, because of its commendatory attitude.

Far more seriously, departing from the course of conduct to which it had previously always adhered, the Secretariat decided, with the same unacceptable casualness it demonstrated with regard to the Polisario proposals, to reject by a stroke of the pen, in a disrespectful manner, the objections by Algeria which were clearly not addressed to it, since the Secretary-General had been requested to bring them to the attention of the Member States, which would then be the sole judges of those proposals.

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In rejecting the serious and well-argued objections which Algeria made with regard to a draft statute which it does not consider, and could not under any circumstances consider, as the basis for a just, equitable and final political solution to the question of Western Sahara, the Secretariat is not only acting as if it were a party, but is quite simply deciding to ignore the point of view of an important actor from whom moreover, irony of ironies, it is striving to obtain a stronger commitment with a view to the promotion of a negotiated settlement.

Moreover, in deciding to publish the contents of the letters sent by the President of the Republic to the Secretary-General and to his Personal Envoy, even though it did not have the express consent of Algeria and it had been requested in the body of the letter itself to transmit the text of the memorandum only to Member States, the Secretariat violated the sacrosanct rules of confidentiality which govern relations and communications between Member States and the United Nations and, in so doing, acted in an astonishingly offhand manner.

In shamelessly taking sides on an extremely sensitive issue, in arrogating the right to criticize openly, and without restraint, the positions of a Member State which were not addressed to it, in making countless intrusions into an area which is strictly within the competence of Member States and particularly the Security Council, and in making one blunder and one mistake after another, the Secretariat in short, has discredited itself, thereby demonstrating that it is not acting within the clearly understood interests of all the Member States, or in strict conformity with the spirit and letter of the Charter of the United Nations.

It is evident that these grave actions must be formally condemned and severely penalized by the first officer of the Organization.

3. With regard to the substance of the recommendations made in the report, Algeria, which remains firmly committed to a just and final solution of the conflict in Western Sahara, would like to make the following clarifications:

– While it has indicated its willingness to support Mr. Baker's efforts and is prepared to continue to do so if these efforts are directed towards the search for genuine alternative solutions inspired by justice and equity which are capable of restoring peace and stability for all the peoples of the region in a lasting manner, Algeria cannot accept that the settlement plan should be dismissed in such a cavalier manner and that the Polisario proposals for relaunching its implementation should be set aside, without being given serious consideration by the other party to the conflict and the members of the Security Council;

Similarly, Algeria cannot accept that an autonomy plan which, in good faith, it has endeavoured to show could not constitute a serious and credible basis for a just and final settlement of the conflict in Western Sahara, should continue to be presented as the single and only way of settling the conflict, despite the strong objections it has made against that plan.

Since the process of the settlement of the question of Western Sahara is now at a crucial stage, Algeria calls upon the Security Council to assume its responsibilities to the full, by stopping the dangerous drift which is threatening the process, by reaffirming its commitment to the settlement plan, and by reiterating the mandate of the United Nations Mission for the Referendum in Western Sahara, in the same terms it has used now for a year.

I should be grateful if you would make the necessary arrangements to have the text of this letter circulated to the members of the Security Council and to have it issued as a Security Council document.

(*Signed*) Abdallah **Baali**
Ambassador
Permanent Representative